

06-04-01

A

UTILITY PATENT APPLICATION TRANSMITTAL

Submit an original and a duplicate for fee processing
(Only for new nonprovisional applications under 37 CFR 1.53(b))

ADDRESS TO:

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Attorney Docket No. MBHB00-581

First Named Inventor Nix

Express Mail No. EL237753335US

APPLICATION ELEMENTS

1. ☒ Transmittal Form (without Fee)
2. ☒ Specification (including claims and abstract) [46 Total Pages]
3. ☒ Drawings [20 Total Sheets]
4. ☐ Oath or Declaration [Total Pages]
 - a. ☐ Newly executed
 - b. ☐ Copy from prior application
 - i. ☐ **[Note Boxes 5 and 17 below]**
Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Code Listing (See 1.96)
 - a. ☐ Microfiche Appendix
 - b. ☐ CD-Rom (in duplicate, with separate transmittal)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy
 - c. ☐ Statement verifying above copies
8. ☒ Small Entity Status
 - ☐ is claimed
 - ☐ Statement filed in prior application; status still proper and desired
 - ☐ is no longer claimed.

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers
10. ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)
 - ☐ PTO-1449 Form
 - ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☒ A Request for non-publication pursuant to 35 USC 122(b)(2)(B)(i)
17. ☐ Other: PTO-1595, Data Sheet and check US \$40.00

18. ☐ This is a CONTINUING APPLICATION. Please note the following:

- a. ☐ This is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part of prior application
- b. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one claim must remain.)
- c. ☐ Amend the specification by inserting before the first line the sentence:
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of application Serial No.
- d. ☐ The prior application is assigned of record to

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. MBHB00-581

APPLICATION FEES

BASIC FEE				\$ 710.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	91-20=	71	x \$18.00	\$1278
Independent Claims	8 - 3=	5	x \$80.00	\$ 400
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$270.00	\$
Total of above calculations =				\$ 2388
Reduction by 50% for filing by small entity =				\$(1194)
<input type="checkbox"/> Assignment fee if applicable			+ \$40.00	\$
TOTAL =				\$ 1194

19. ☐ Please charge my Deposit Account No. 13-2490 in the amount of \$20. ☐ A check in the amount of \$ is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

23. CERTIFICATE OF MAILING

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to the Commissioner for Patents, Box Patent Application, Washington, DC 20231, on the date indicated below.

24. USPTO CUSTOMER NUMBER

PATENT & TRADEMARK OFFICE



020306

20306

PATENT TRADEMARK OFFICE

McDonnell Boehnen Hulbert & Berghoff

25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name	Marcus J. Thymian
Reg. No.	43,954
Signature	
Date	May 31, 2001

UTIL (Rev. 11/21/00)

**IMPORTANT INSTRUCTIONS FOR USE OF
REQUEST AND CERTIFICATION UNDER
35 U.S.C. 122(b)(2)(B)(i)**

(FOR INFORMATIONAL PURPOSES;
DO NOT FILE THIS PAGE WITH THE REQUEST)

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.


Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

Attorney Docket No. 00-581
First Named Inventor Nix
Express Mail Label No. EL237753335US

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Name	McDonnell Boehnen Hulbert & Berghoff
Address	32 nd Floor, 300 South Wacker Drive
City, State, Zip	Chicago, Illinois 60606
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name	Marcus J. Thymian
Reg. No.	43,954
Signature	
Date	May 31, 2001